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REMARKS

In view of the foregoing amendments and the following remarks, allowance of this application is earnestly solicited.

Claims 1 and 3-6 are currently pending in this application since claims 2 and 7 have been cancelled.

No drawing corrections are enclosed as the claims have been amended to cancel the specific features mentioned by the Examiner as not being shown within the drawings. In this regard, it should be noted that for the sliding elements what has been deleted is the last portion of claim 1 that had claimed a relationship between the sliding element and the helmet. Accordingly, confirmation that no drawing corrections are required is respectfully requested.

Specification Correction

The specification has been amended by amending paragraph 0004 and approval thereof is respectfully requested.

The 35 U.S.C. § 112 Rejections:

The Examiner rejected claims 1-7 under 35 USC §112, first paragraph, for not complying with the enablement requirement due to the same arguments concerning the lack of a helmet in the drawings and the same specific stop elements and the relationship between the particular "sliding elements" and the helmet limitation the Examiner referenced concerning the drawings. That specific stop element and the particular sliding elements limitation have been deleted from the claims as noted above and as set forth in the amended form of claim 1.

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Consequently, it is believed that the basis for this §112 rejection has been resolved. Notice to that effect is respectfully requested.

The Obviousness Rejection

The examiner rejected claims 1 and 7 under U.S.C. 103(a) as being unpatentable over Meckes, USP No. 6,442,767 (hereafter "Meckes") in view of Schenberg, USP No. 5,598,956 (hereafter "Schenberg").

The Examiner also rejected claim 6 under U.S.C. 103(a) as being unpatentable over Meckes and Schenberg further in view of Peron, French Patent No. 2,707,141. (hereafter "Peron").

Without repeating the lengthy discussion by the Examiner, it is believed that the Examiner's rejections are now overcome and these rejections are traversed.

Claim 1 has been amended to remove the specific stop elements, to resolve the issue with the sliding elements, by deleting the relationship between the sliding elements and the helmet, and to add the subject matter of claim 2 which has not been cancelled. It is believed that in its amended form claim 1 overcomes the basis for the rejection thereof in view of Meckes.

Meckes discloses a safety helmet with a coupling hook for a visor in which one end of a coupling hook forms a tongue which fits into a catch opening of a catch. The tongue is locked by teeth in the catch opening.

As is admitted in the action Meckes lacks, and consequently does not show or disclose, "stop elements formed in the area of the fastening hook to hold the fastening

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hook in a hooked-in position" or "sliding elements that stretch beyond the stop elements [that] are positioned at an offset."

Meckes also does not show the claimed "grip end with a recess molded to the fastening hook" as is now recited within claim 1 as amended herein. Likewise, Meckes does not show or suggest the "retainer piece" that is molded to the tightening strap and which positively fits in the recess in the grip end. Since there are no stop elements they cannot be molded to a free surface of the retainer piece and the missing sliding elements cannot be molded to lateral edges of the same recess formed in the grip end.

Schenberg was cited to show a "hook structure" that arguably included stop elements in the form of ribs 163 that the Examiner argues can "inherently provide frictional engagement and positive contact with a mating member." The Examiner also argues that Schenberg show a sliding element 128 that "define an offset and modification of each hook would provide a plurality of sliding elements, one on each hook, and since the sliding elements 128 protrude beyond the stop elements 163 on each hook, they would provide sliding when in the configuration shown in figure 15."

Schenberg actually discloses a hook device that is capable of being mounted onto a car window or over a rod within a vehicle for receiving and supporting hanging garments or the like on a door or within an automobile. The arrangement shown in Figs. 10 and 15 shows a plate 140 connected to one end of a Tyvek strap 102. A plastic retention element 112 is attached to the other end of strap 102. The plate 140 includes a key-slot 146 with an enlarged opening and a narrowed opening. Knob 128 can fit into

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the larger opening and the narrowed neck 126 can fit into the narrowed opening through which knob cannot be pulled. That way strap 102 can be wound around a rod R and the hook held in place. The ribs 163 are only small spaced apart items that extend across portions of the interior of the hook portion in order to reinforce and provide an overlay (See, col. 6, lines 34-35). Thus, ribs 163 are not "stopping" anything and are present only for reinforcing purposes. Further, knob 128 is not offset from the hook and is present only for securing the strap in place. In the Fig. 14 view, where the hook device is held by a window knob 128 is useless.

Schenberg does not show stop elements, there are no stop elements formed in the area of the fastening hook to hold the hook in a "hook-in" position, and there are no sliding elements that stretch beyond the stop elements, nor are there sliding elements positioned at an offset.

Consequently, the applicant is of the opinion that such disclosures by Schenberg are not at all related to a holding device for a breathing mask or for connecting a mask to a protective helmet and further that one skilled in the art would not think of looking to garment hangers for automobile doors for any teaching dealing with helmets and especially where one is concerned with connecting a mask to a helmet.

With reference to claim 1 as amended, Schenberg does not show or disclose a grip end with a recess that is molded to the fastening hook and a retainer piece which is molded to the tightening strap, nor that the retainer piece positively fits into the recess,

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nor stop elements that are molded to a free surface of the retainer piece nor sliding elements that are molded to lateral edges of the recess formed in the grip end.

Thus, unless hindsight is used, and it cannot be, there is no basis for asserting that Meckes together with Schenberg renders claims 1 and 7 as being obvious, and it is submitted that these claims now define patentably over such references. Notice thereof is respectfully requested.

Claim 6 calls for an ergonomically molded second grip element to be formed on the fastening hook. Peron shows a clip forming hook 4 but it is not clear that there is any disclosure of a second grip element that is suggested to be molded nor is it clear how Peron could be combined with Meckes and Schenberg. In any event, claim 6 depends from amended claim 1 and is consequently depending from a claim that is distinguished from and believed to be allowable in view of the same references and is likewise allowable.

It is, therefore, respectfully submitted that Peron in combination with Meckes and Schenberg do not render claim 6 as being obvious and withdrawal of that rejection is also respectfully requested.

Conclusion

In view of the above, it is believed that all of the claims now presented are in allowable form, Applicant respectfully submits that this application defines patentably over all of the art of record, that claims 1 and 3-6 are in condition for allowance and an early action to that effect is earnestly solicited.

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Further, should the Examiner have any questions, or believe that some further discussion would prove helpful, the Examiner is respectfully requested to telephone the undersigned, at the number provided, either to resolve any outstanding issues in this application or to discuss any aspect of the claimed invention that would lead to allowance.

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